

109TH CONGRESS
2D SESSION

H. R. 5188

To amend title 18, United States Code, to strengthen enforcement of spousal court-ordered property distributions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2006

Mr. SWEENEY introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to strengthen enforcement of spousal court-ordered property distributions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Jane’s Law”.

5 **SEC. 2. SPOUSAL OBLIGATIONS.**

6 (a) IN GENERAL.—Chapter 11(A) of title 18, United
7 States Code, is amended by adding at the end the fol-
8 lowing:

1 **“§ 3. Failure to pay legal spousal court-ordered prop-**
 2 **erty distribution**

3 “(a) OFFENSE.—Whoever knowingly, travels in inter-
 4 state or foreign commerce, with the intent to evade compli-
 5 ance with a court ordered property distribution as part
 6 of a separation or divorce settlement involving more than
 7 \$5000, with respect to a spouse or former spouse, shall
 8 be fined under this title or imprisoned for not more than
 9 two years or both.

10 “(b) MANDATORY RESTITUTION.—Upon a conviction
 11 under this section, the court shall order restitution under
 12 section 3663A in an amount equal to the total unpaid
 13 property distribution.

14 “(c) DEFINITION.—The term ‘court ordered property
 15 distribution’ means any amount determined under a court
 16 order pursuant to the law of a State or of an Indian tribe
 17 to be due from a spouse or former spouse as an equitable
 18 or other distribution to a spouse or former spouse of assets
 19 in connection with a separation or divorce.”.

20 (b) CONFORMING AMENDMENT TO TABLE OF SEC-
 21 TIONS.—The table of sections at the beginning of chapter
 22 11(A) of title 18, United States Code, is amended by add-
 23 ing at the end the following new item:

“228A. Failure to pay legal spousal obligations”.

